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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention **ANASTOMOTIC LEG ARRANGEMENT**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. **PCT/IL2003/000769**, filed on **September 25, 2003**,
☒ as amended on **The IPR Annexes and Herewith**. (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: **Amir LOSHAKOVE**

Signature: *[Signature]* Citizen of: **Israel**

Inventor two: **Ofer NATIV**

Signature: *[Signature]* Citizen of: **Israel**

Inventor three: **Ido KILEMNIK**

Signature: *[Signature]* Citizen of: **Israel**

Inventor four: **GIL HEFER**

Signature: *[Signature]* Citizen of: **Israel**

☐ Additional inventors or a legal representative are being named additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

If you need assistance in completing the form, call 1-800-PTO-5199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
POWER OF ATTORNEY

Docket No.

088/04467

Name of Applicant: Amir LOSHAKOV et al.
Address of Applicant:

Title: ANASTOMOTIC LEG ARRANGEMENT

Serial No., if Any: U.S. National Phase of PCT/IL2003/000769
Filed: I.A. September 25, 2003

TO THE COMMISSIONER FOR PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Honorable Sir:
I hereby appoint

Paul Fenster, Reg. No. 33,877
Maler Fenster, Reg. No. 41,016
Yaakov Schatz, Reg. No. 44,320
Todd A. Serbin, Reg. No. 43,087
Allan C. Eatis, Reg. No. 52,866
Michael J. Gerver, Reg. No. 52,940
William H. Dippert, Reg. No. 26,723
Michael L. Wolfson, Reg. No. 24,750
Lloyd McAulay, Reg. No. 20,423
Jules E. Goldberg, Reg. No. 24,408

as principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all future correspondence to:

William H. Dippert, Esq.
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699 Lexington Avenue, 29th Floor
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Tel: (212) 521-5400

By:

1 RSE
Oren GLOBERMAN, Co-Chairman
By-Pass, Inc.

Assignee of the entire right, title
and interest

Statement under 37 CFR §3.73(b) is enclosed

Dated: 4/21/2005

PO2BIR5U01

083/04467

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Amit LOSHAKOVE, et al.
APPLICATION NO: U.S. National Phase of PCT/IL2003/000769
I.A. FILING DATE: September 25, 2003
ENTITLED: Anastomotic Leg Arrangement
ASSIGNEE: By-Pass Inc.
TYPE OF ASSIGNEE: A Corporation

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. §3.73(b)

Sir:

The undersigned hereby state that it is the assignee of the entire right, title, and interest in the patent application identified above by virtue of an assignment from the inventor(s) of the patent application identified above.

A copy of an assignment is attached hereto.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Respectfully submitted,


Oren GLOBERMAN, Co-Chairman

4/21/2005
Date

BEST AVAILABLE COPY

088/03504

ASSIGNMENT

In consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged,

Amir LOSHAKOV, P.O. Box 378, Moshav Bazra 60944, Israel, ID No. 057256828;

Ofer NATIV, 11 Hamaayan Street, Rishon-Lezion 75210, Israel, ID No. 058507955

Ido KILEMNIK, 35 Nordau Street, Herzlia 46585, Israel, ID No. 017330416; and

Gil HEFER, 8/8 Herzfeld Street, Kfar Saba 44415, Israel, ID No. 022160923;

(hereinafter called the "Assignors") hereby sell, assign and transfer to

By-Pass, Inc., 40 Ramland Road, Orangeburg, NY 10962, USA, a company incorporated under the laws of the State of Delaware

(hereinafter called the "Assignee"), its successors, assigns, nominees or other legal representatives, their entire right, title and interest in and to the invention(s) titled

Anastomotic Leg Arrangement

described and claimed in

PCT Application No. PCT/IL03/00769 filed on September 25, 2003

and in and to said Patent Application and all patent applications derived therefrom, and all original and reissued patents granted therefor, and any and all national phases, continuations and divisions thereof, including, but not limited to, any and all extensions, reexaminations, substitutes and renewals, and including the right to apply for and obtain patents in the US, Canada and all other countries, the priority rights under International Conventions, and any and all Letters Patent which may be granted thereon; all rights to collect and retain all royalties and other considerations arising from said patent applications; and all rights to sue for past, present and future infringement; and the right to collect and retain all damages collected or awarded thereunder;

Said Assignors warrantee that they have the full right to convey the entire interest herein assigned, and that they have not executed and will not execute any agreement in conflict herewith;

Said Assignors authorize and request any Official of any country whose duty it is to issue patents on applications as aforesaid, to issue said Letters Patent to said Assignee, its successors, assigns, nominees or other legal representatives, for the sole use and benefit of said Assignee, its successors, assigns, nominees or other legal representatives; and

Said Assignors agree to sign all lawful papers, make all rightful oaths, do all lawful acts requisite for such patent applications, and do everything possible to aid said Assignee, its successors, assigns, nominees or other legal representatives, to apply for, obtain and enforce patent protection for said invention(s).

Signed (mo/day/yr) 11/17/03 at (city) Herzliya by [Signature]
Amir LOSHAKOVE

Witness [Signature]

Signed (mo/day/yr) 11.11.03 at (city) Herzliya by [Signature]
Ofir NATIV

Witness [Signature]

Signed (mo/day/yr) 11/17/03 at (city) Herzliya by [Signature]
Ido KLEMNICK

Witness [Signature]

Signed (mo/day/yr) 11/17/03 at (city) Herzliya by [Signature]
Gil HEFER

Witness [Signature]